

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MOBIUS MANAGEMENT SYSTEMS, INC., :  
: Plaintiff, :  
: v. : C.A. No. 05-346 SLR  
: :  
ACARTUS, INC., : Defendant. :

**NOTICE OF SUBPOENAS**

TO: Mary B. Graham, Esquire  
Morris Nichols Arsh & Tunnell  
222 Delaware Avenue, Suite 900  
Chase Manhattan Center, 18th Floor  
Wilmington, DE 19899-1347

PLEASE TAKE NOTICE that, pursuant to Rules 30 and 45 of the Federal Rules of Civil Procedure, plaintiff Mobius Management Systems, Inc. is serving the attached subpoenas on the following non-parties for the production of documents identified in Schedule A of the subpoenas by December 1, 2005:

- EMC Corporation  
176 South Street  
Hopkinton, MA 01748  
(Exhibit A hereto)
- Gimmel Group, Inc.  
24 Greenway Plaza, Suite 1000  
Houston, TX 77046  
(Exhibit B hereto)
- Cincinnati Financial Corporation  
6200 S. Gilmore Road  
Fairfield, OH 45014-5141  
(Exhibit C hereto)

THE BAYARD FIRM

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(212) 715-9100

Dated: November 8, 2005

**CERTIFICATE OF SERVICE**

Linda E. Beebe, Esquire hereby certifies that on November 8, 2005, copies of the foregoing Notice of Subpoenas were served electronically and by hand delivery on counsel listed below:

Mary B. Graham, Esquire  
Morris, Nichols, Arsht & Tunnell  
Chase Manhattan Centre, 18th Floor  
1201 North Market Street  
Wilmington, DE 19899-1347

*Linda E. Beebe*

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Linda E. Beebe (# 4634)